

[Parties and Counsel Listed on Signature Pages]

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: SOCIAL MEDIA
ADOLESCENT
ADDICTION/PERSONAL INJURY
PRODUCTS LIABILITY
LITIGATION

This Document Relates to:

ALL ACTIONS

MDL No. 3047

Case No. 4:22-md-03047-YGR

**STIPULATION AND [PROPOSED]
ORDER REGARDING NEGOTIATED
AMENDMENT OF THE DEPOSITION
PROTOCOL (ECF NO. 742)**

Judge: Hon. Yvonne Gonzalez Rogers

Magistrate Judge: Hon. Peter H. Kang

1 Meta and the MDL/JCCP Plaintiffs (together the “Parties”) hereby agree to the following
2 negotiated amendment of the Deposition Protocol entered by the Court at ECF 742.

3 WHEREAS, the current rules governing discovery allow the MDL/JCCP PISD Plaintiffs
4 240 hours of questioning time at depositions of current and former Meta employees and also
5 allow the MDL AG Plaintiffs an additional 48 hours of questioning time at depositions of current
6 and former Meta employees (ECF No. 667) (together, “the MDL Budget”);

7 WHEREAS, the parties agreed to a deposition protocol that the Court entered on April 3,
8 2024 (ECF No. 742) which sets forth a provision by which MDL/JCCP Plaintiffs may cross-
9 notice into depositions noticed by state attorneys general prosecuting their claims outside of the
10 MDL (“Non-MDL AGs”);

11 WHEREAS, the states attorneys general of Massachusetts, Tennessee, and Arkansas
12 (“Non-MDL Coordinated AGs”) have endeavored to coordinate with the MDL/JCCP Plaintiffs to
13 promote efficiency, and have therefore participated in 21 depositions to date;

14 WHEREAS, the attorneys general of other jurisdictions besides Massachusetts,
15 Tennessee, and Arkansas (“Non-MDL Non-Coordinated AGs”) have not appeared or asked
16 questions at the 21 depositions taken to date and have independently noticed depositions of other
17 former or current Meta employees;

18 WHEREAS, the Parties have an ongoing disagreement regarding whether and to what
19 extent time spent questioning current and former Meta employees by the Non-MDL Coordinated
20 AGs shall count against the MDL Budget;

21 WHEREAS, the Parties have an ongoing disagreement regarding whether and to what
22 extent MDL/JCCP Plaintiffs should be permitted to show to certain deponents certain documents
23 that Meta has designated as “HIGHLY CONFIDENTIAL” under the Court’s Protective Order;

24 NOW, THEREFORE, the Parties stipulate and agree as follows:

25 1. With respect to depositions jointly noticed by the MDL/JCCP Plaintiffs and the
26 Non-MDL Coordinated AGs that were conducted on or before February 10, 2025 (“Past
27 Depositions”), time spent questioning by the Non-MDL Coordinated AGs will not count against
28 the MDL Budget, with the exception of 3.25 hours which shall be counted against the MDL

1 Budget;

2 2. With respect to depositions jointly noticed by the MDL/JCCP Plaintiffs and the
3 Non-MDL Coordinated AGs that are conducted between February 11, 2025 and April 4, 2025
4 (“Future Depositions”), the Non-MDL Coordinated AGs may lead 5 depositions and, at each such
5 deposition, the first 5.5 hours spent questioning by the Non-MDL Coordinated AG leading each
6 deposition will not count against the MDL Budget, but any time in excess of such 5.5 hours will
7 count against the MDL Budget;

8 3. For purposes of the foregoing provision, to “lead” a deposition means either to (a)
9 question first, or (b) question for the largest amount of time among all participating plaintiffs;

10 4. With respect to Future Depositions, time spent questioning by the Non-MDL
11 Coordinated AGs in a capacity other than as lead will not count against the MDL Budget, except
12 that for each such deposition time in excess of 1 hour conducted by the Arkansas AG’s office in
13 such a non-lead capacity will count against the MDL Budget;

14 5. With respect to depositions noticed by Non-MDL Non-Coordinated AGs
15 conducted on or before April 4, 2025, Meta will provide the final transcript of each such
16 deposition to the MDL/JCCP Plaintiffs within three business days of receipt, and the final video
17 of each such deposition to the MDL/JCCP Plaintiffs within three business days of receipt, and
18 Meta waives any argument that such transcripts and videos are not authentic or admissible on the
19 ground that the MDL/JCCP Plaintiffs did not cross-notice and appear at such depositions,
20 notwithstanding any provisions related to cross-noticing in the Deposition Protocol (ECF No.
21 742), but Meta reserves its rights in all other respects concerning the admissibility of such
22 transcripts and videos at summary judgment or trial;

23 6. With respect to depositions noticed by Non-MDL Non-Coordinated AGs
24 conducted after April 4, 2025, the Parties reserve their rights and will endeavor to further meet
25 and confer on this issue;

26 7. At the upcoming depositions of Susan Li, Chris Cox, Nick Clegg, Alex Schultz,
27 Adam Mosseri, and Mark Zuckerberg (the “Apex Deponents”), MDL/JCCP Plaintiffs may show
28 the deponent any documents designated as HIGHLY CONFIDENTIAL to the extent presently

permitted by the Court's Protective Order § 7.4; and

8. At the upcoming depositions of Susan Li, Chris Cox, Nick Clegg, Alex Schultz, Adam Mosseri, and Mark Zuckerberg (the "Apex Deponents"), MDL/JCCP Plaintiffs may show the deponent any documents designated as HIGHLY CONFIDENTIAL to the extent not presently permitted by the Court's Protective Order § 7.4, provided the MDL/JCCP Plaintiffs share with Meta's counsel such documents which in good faith they are considering to actually use with the witness (not to exceed 20) three business days in advance of the deposition at which the documents will be used, and subject to Meta reserving all other objections to use of the document and any related testimony at the time of summary judgment and trial.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: _____

HON. PETER H. KANG
UNITED STATES MAGISTRATE JUDGE

DATED: February 10, 2025

Respectfully submitted,

/s/ Lexi J. Hazam

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ATTESTATION

I, Lexi J. Hazam, hereby attest, pursuant to N.D. Cal. Civil L.R. 5-1, that the concurrence to the filing of this document has been obtained from each signatory hereto.

Dated: February 10, 2025

By: /s/ Lexi J. Hazam
Lexi J. Hazam